

Unit One: The Nature of law and the Welsh and English Legal Systems

Criminal Process

Jury Trial

You be the jury!

Case 1 – R v Owen (1991)

Facts of the Case

The defendant (Owen) was a man whose son had been knocked down and killed by a lorry driver, who had never taken a driving test, and who also had a long criminal record for drink-driving and violence. The lorry driver, who apparently showed no remorse for killing Owen's son, was convicted of a driving offence and sentenced to 18 months in prison; he was released after a year. He then resumed driving unlawfully. After contacting a number of people / authorities, to try to secure justice for his son, Mr Owen finally took a shotgun and injured the lorry driver. He was charged with a number of offences, including attempted murder and GBH with intent.

What would your verdict be in this case?

Case 2 – R v Kronlid & Others (1996)

Facts of the Case

The defendants were 3 women who broke into a British Aerospace factory and caused damage in excess of £1.5 million to a fighter plane. The women admitted doing it – they in fact left a video explaining why they had done it in the cockpit of the plane- but they claimed that they had a defence under s.3 of the Criminal Law Act 1967, which provides that it is unlawful to commit a crime in order to prevent another (usually more serious) crime from being committed, and this may involve using 'such force as is reasonable in all the circumstances'.

The defendants argued that the plane was due to be sold to the Indonesian Government, which was involved in the oppression of East Timor. The women claimed that the Indonesians had killed at least a third of the population of East Timor, and the jet was going to be used to kill off the remaining population.

What would be your verdict in this case?